

## DEPARTMENT OF FISH AND GAME

Region 5  
330 Golden Shore, Suite 50  
Long Beach, California 90802



November 21, 1996

Mr. Tim Vasquez  
Caltrans District 11  
P.O. Box 85406  
San Diego, California 92186-5406

Dear Mr. Vasquez:

**Notice of Preparation of Draft Environmental Impact Report  
Proposed 78/111 Brawley Bypass Study Area  
SCH 96101039, Imperial County**

The Department of Fish and Game (Department) appreciates this opportunity to comment on the above-referenced project, relative to impacts to biological resources. To enable Department staff to adequately review and comment on the proposed project, we recommend the following information be included in the Draft Environmental Impact Report:

1. A complete assessment of the flora and fauna within and adjacent to the project area, with particular emphasis upon identifying endangered, threatened, and locally unique species and sensitive habitats.
  - a. A thorough assessment of rare plants and rare natural communities, following the Department's May 1984 Guidelines for Assessing Impacts to Rare Plants and Rare Natural Communities (Attachment 1).
  - b. A complete assessment of sensitive fish, wildlife, reptile, and amphibian species. Seasonal variations in use of the project area should also be addressed. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with the Department and the U.S. Fish and Wildlife Service.
  - c. Rare, threatened, and endangered species to be addressed should include all those which meet the California Environmental Quality Act (CEQA) definition (see CEQA Guidelines, § 15380).
  - d. The Department's California Natural Diversity Data Base in Sacramento should be contacted at (916) 327-5960 to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code.

3-3.7-3.8-3.9-3.10-5-5.

2. A thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts.
  - a. CEQA Guidelines, § 15125(a), direct that knowledge of the regional setting is critical to an assessment of environmental impacts and that special emphasis should be placed on resources that are rare or unique to the region.
  - b. Project impacts should be analyzed relative to their effects on off-site habitats. Specifically, this should include nearby public lands, open space, adjacent natural habitats, and riparian ecosystems. Impacts to and maintenance of wildlife corridor/movement areas, including access to undisturbed habitat in adjacent areas, should be fully evaluated and provided.
  - c. A cumulative effects analysis should be developed as described under CEQA Guidelines; § 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.
3. A range of alternatives should be analyzed to ensure that alternatives to the proposed project are fully considered and evaluated. A range of alternatives which avoid or otherwise minimize impacts to sensitive biological resources should be included. Specific alternative locations should also be evaluated in areas with lower resource sensitivity where appropriate.
  - a. Mitigation measures for project impacts to sensitive plants, animals, and habitats should emphasize evaluation and selection of alternatives which avoid or otherwise minimize project impacts. Off-site compensation for unavoidable impacts through acquisition and protection of high-quality habitat elsewhere should be addressed.
  - b. The Department considers Rare Natural Communities as threatened habitats having both regional and local significance. Thus, these communities should be fully avoided and otherwise protected from project-related impacts (Attachment 2).
  - c. The Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species. Department studies have shown that these efforts are experimental in nature and largely unsuccessful.
4. If the project has the potential to adversely affect species of plants or animals listed under the California Endangered Species Act (CESA), either during construction or over the life of the project, a CESA-Memorandum of Understanding (CESA-MOU) must be obtained under § 2081 of the Fish and Game Code. CESA-MOU's are issued to conserve, protect, enhance, and restore State-listed threatened or



endangered species and their habitats. Early consultation is encouraged, as significant modification to a project and mitigation measures may be required in order to obtain a CESA-MOU.

- a. Biological mitigation proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA-MOU.
  - b. A Department-approved Mitigation Agreement and Mitigation Plan are required for plants listed as rare under the Native Plant Protection Act.
5. The Department opposes the elimination of watercourses and/or their channelization or conversion to subsurface drains. All wetlands and watercourses, whether intermittent or perennial, must be retained and provided with substantial setbacks which preserve the riparian and aquatic values and maintain their value to on-site and off-site wildlife populations.
- a. The Department has direct authority under Fish and Game Code § 1600 et seq. in regard to any proposed activity which would divert, obstruct, or affect the natural flow or change the bed, channel, or bank of any river, stream, or lake. Early consultation is recommended, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources.
  - b. A discussion of potential adverse impacts from any increased runoff, sedimentation, soil erosion, and/or urban pollutants on streams and watercourses on or near the project site, with mitigation measures proposed to alleviate such impacts must be included.

Thank you for this opportunity to comment. Questions regarding this letter and further coordination on these issues should be directed to Ms. Nancy Andrew, Wildlife Biologist, at (619) 351-1676 or Ms. Sharon Keeney, Fisheries Biologist, at (619) 347-3145

Sincerely,

Patricia Wolf  
Acting Regional Manager

#### Attachments

cc: See attached list